



News Release

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Tennessee Attorney General reminds consumers to watch out for restrictions, expiration dates on rebates, gift cards and gift certificates

Convenience and discounts are strong lures for holiday shoppers, but Attorney General Bob Cooper and Division of Consumer Affairs Mary Clement remind consumers to pay close attention to restrictions and expiration dates when buying gift cards or items that promise rebates.

Mail-in rebates usually entail some work on the buyer's part. Most rebate programs have specific deadlines and require receipts, UPC codes or other packaging parts to be mailed in along with the rebate form. Consumer groups such as the Better Business Bureau report that most consumers take advantage of the rebates but an estimated 20 percent never receive their rebates.

"That's money and time wasted if you don't pay attention to the details or don't follow through to see why the company never mailed the rebate," Attorney General Cooper said. "A little research can go a long way toward collecting what you're due."

"We encourage any consumer who feels they have had a problem with any business relating to a gift card, gift certificate or rebate to file a complaint with our office," Director Clement said. "Consumers may call the Tennessee Division of Consumer Affairs at 1-800-342-8385 (toll free inside Tennessee) or (615) 741-4737 or online at www.state.tn.us/consumer."

Gift cards and gift certificates are attractive to many shoppers because they are convenient to buy and offers the recipient more flexibility than traditional gifts. A new federal law that takes effect in 2010 will make it even easier for recipients to get the full value of their certificates without getting lost in the fine print. Some provisions of the new law prohibit expiration dates on gift cards that are less than five years from the date on which the gift card was issued or the funds were last loaded to the card. The law, known as the Credit Card Act of 2009, also requires the terms of expiration to be clearly and conspicuously stated. For more information on the Act (H.R. 627), you can visit the govtrack.us website at <http://www.govtrack.us/congress/bill.xpd?bill=h111-627> or the Library of Congress at <http://thomas.loc.gov/cgi-bin/bdquery/z?d111:H.R.627>

Tennessee also has a gift certificate law which prohibits gift certificates being issued with an expiration date of less than 2 years with a few exceptions. See Tenn. Code Ann. § 47-18-126. Consumers should report companies they believe to be in violation of the state law to the Tennessee Division of Consumer Affairs.

Attorney General Cooper and Director Clement offer the following suggestions when considering a purchase with a rebate offer:

*Read the instructions carefully. Some rebates require many steps. If you miss any of those requirements, it could delay the process or you may lose your rebate altogether.

*Pay particular attention to timelines. Don't delay. The offer may expire before you can get your information in to the manufacturer.

*Save all the packaging from the product until after you get your rebate. Rebates often require you to include parts or information from the packaging.

*Make a copy of all the information you are sending the company to obtain the rebate and save it until you receive your check.

*If you don't receive your rebate within the time promised, call the manufacturer. Sometimes retailers and manufacturers use a third party company to process all that paperwork. So you may need to track down a different company altogether to get your check.

*Federal law requires companies to send rebates within the time frame promised, or if no time is specified, within a "reasonable" time, which the FTC interprets as usually within 30 days. If you do not get your check, you can always file a complaint with the BBB, the Division of Consumer Affairs or the Federal Trade Commission helpline at 877-ftc help or online at ftc.gov.

*Remember signing up for a rebate may mean you are also agreeing to receive mail and telephone solicitations. Check the fine print before you sign up.

Regarding gift cards or gift certificates, be sure to:

*Buy from reputable sources rather than online auction sites as they could be counterfeit.

*Consider the financial condition of the business, including how long it has been in your area, and whether it has ever filed for bankruptcy to avoid being stuck with a worthless card.

*Ask about expiration dates before you buy a card so you may alert the recipient.

*Ask whether there are any "hidden" fees such as activation, maintenance or transaction fees and whether those will be taken from deducted from the card.

*Give the recipient the receipt when you give them the card in case it is lost or stolen.

*Inspect the card to ensure it has not been tampered with or damaged before you leave the store.

*Consider purchasing the gift cards or gift certificates with a credit card so you will have charge back protections if the store vanishes right after the holidays and before the recipient can redeem it.

*If you receive a gift card as a gift, read the terms and conditions when you get the card and check for an expiration date or any fees.